

### **DETAILED ACTION**

Claims 1-17 and 45 are currently pending in the instant application. Claims 15 and 16 are rejected and claims 1-14, 17 and 45 are allowed in this Office Action.

#### **I. Response to Arguments/Remarks**

Applicants' terminal disclaimer and amendment, filed on April 5, 2011, has overcome the ODP rejection of claims 1-14 and 45 as being unpatentable over claims 1-14, 18, 19, 46, 47 and 74-93 of copending Application No. 10/566/094 and the rejection of claim 14 under 35 USC 112, second paragraph as lacking antecedent basis for the limitation "a compound of formula (lb). The above rejections have been withdrawn.

However, Applicants' amendment has not overcome the rejection of claims 15-16 under 35 USC 112, second paragraph as lacking antecedent basis for the limitation a compound of formula (lb) because the limitation is still present in the phrase "the process comprising reacting at least one compound of general formula (la) and/or at least one compound of general formula (lb)" in claims 15 and 16 and thus the claims still lack antecedent basis because these claims are dependent upon claim 1 and there is no mention of a compound of general formula (lb). Therefore, the Examiner has maintained the above rejection.

#### **II. Rejection(s)**

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 15-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 15-16 recites the limitation "a sulfonamide of general formula (Ia) and/or (Ib)" which is dependent on claim 1 but the general formula (Ib) is not found in claim 1. There is insufficient antecedent basis for this limitation in the claim. To overcome the rejection, Applicants are suggested to delete the phrase "and/or at least one compound of the general formula (Ib)" from claims 15-16.

**III. Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawquia Young whose telephone number is 571-272-9043. The examiner can normally be reached on 7:00 AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on 571-272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shawquia Young/

Primary Examiner, Art Unit 1626